

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 ANTOLIN ANDREW MARKS,

9 Plaintiff,

10 v.

11 JACK BENNETT,

12 Defendant.

Case No. C07-5674RBL/JKA

ORDER ADOPTING
REPORT AND
RECOMMENDATION

13
14 The Court, having reviewed, the Report and Recommendation of Magistrate Judge J. Kelley
15 Arnold, objections to the Report and Recommendation [Dkt. #33], and the remaining record, does
16 hereby find and ORDER:

- 17 (1) The Court will not consider Plaintiff's Supplemental Briefing [Dkt. #30] because it
18 was received after his requests for extensions of time were denied and because it
19 violates CR 10(e), Local Rules W.D. Wash.
- 20 (2) The Court adopts the Report and Recommendation;
- 21 (3) Defendant's motion for summary judgment is **GRANTED**. The
dismissal will be **WITH PREJUDICE**.
- 22 (4) Clerk is directed to send copies of this Order to plaintiff, counsel for defendants, and
23 to the Hon. J. Kelley Arnold.

24 DATED this 11th day of September, 2008.

25
26 
27 RONALD B. LEIGHTON
28 UNITED STATES DISTRICT JUDGE